

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
 Assistant Commissioner For Patents
 Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of James R. Prudent, Jeff G. Hall, Victor Lyamichev, Mary Ann Brow and James E. Dahlberg for Nucleic Acid Detection Assays.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U.S. Postal Service on this date **February 22, 2002** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL 837 033 803 US** addressed to: **Box Patent Application**, Assistant Commissioner For Patents, Washington, D.C. 20231.

Mary Ellen Waite
 Mary Ellen Waite

1. Type Of Application

This new application is for a(n)

☒ Original (nonprovisional)

☒ Continuation.

2. Benefit Of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

☒ The new application being transmitted claims the benefit of prior U.S. application(s) and enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed That Are Required For Filing Date Under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

230 Pages of Specification

7 Pages of Claims

1 Page of Abstract

87 Sheets of Informal Drawings

4. Additional Papers Enclosed

☒ Preliminary Amendment

☒ Information Disclosure Statement (37 C.F.R. § 1.98), Form PTO-1449 and Citations

5. Declaration

☒ Enclosed

☒ Executed by inventors.

6. Inventorship Statement

The inventorship for all the claims in this application is:

☒ the same

7. Language

☒ English

8. **Fee Calculation (37 C.F.R. § 1.16)**
☒ Regular application

CLAIMS AS FILED

| Number Filed | Number Extra | Rate | Basic Fee - \$740.00 (37 C.F.R. § 1.16(a)) |
|---|--------------|----------------|---|
| Total Claims (37 C.F.R. § 1.16(c)) | 56 - 20 = | 36 × \$18.00 = | \$648.00 |
| Independent Claims (37 C.F.R. § 1.16(b)) | 3 - 3 = | 0 × \$84.00 = | \$0.00 |
| Multiple Dependent Claim(s), if any (37 C.F.R. § 1.16(d)) | + \$280.00 = | | \$0.00 |
| | | | \$1,388.00 |
| Petition to Make Special Filing Fee Calculation | | | \$130.00 |

9. **Fee Payment Being Made At This Time**
☒ Enclosed
☒ basic filing fee

Total Fees Enclosed \$1,518.00

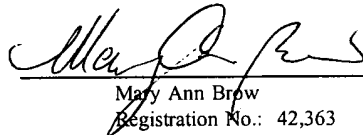
10. **Method of Payment of Fees**
☒ Check in the amount of \$1,518.00

11. **Authorization To Charge Additional Fees and Credit Overpayment**
☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No.: 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

12. **Power of Attorney by Assignee**
☒ The power appears in the original papers in the prior application.

13. **Return Receipt Postcard**
☒ Enclosed

Dated: February 22, 2002


 Mary Ann Brow
 Registration No.: 42,363

MEDLEN & CARROLL, LLP
 101 Howard Street, Suite 350
 San Francisco, California 94105
 415/904-6500

- ☒ **Incorporation By Reference Of Added Pages**
☒ Plus Added Pages For New Application Transmittal Where Benefit Of Prior U.S. Application(s) Claimed

Number of pages added 1

**ADDED PAGES FOR APPLICATION TRANSMITTAL
WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED**

14. Relate Back

A. 35 U.S.C. § 119(e)

B. 35 U.S.C. §§ 120, 121 and 365(c)

- ☒ Amend the Specification by inserting before the first line the sentence: This is a Continuation of co-pending U.S. Appln. Ser. No. **09/982,667, filed October 18, 2001**, which is a continuation of U.S. Appln. Ser. No. **09/350,309, filed July 9, 1999**, now U.S. Patent No. 6,348,314, which is a Divisional of U.S. Appln. Ser. No. **08/756,386, filed November 29, 1996**, now U.S. Patent No. 5,985,557, which is a Continuation-In-Part of U.S. Appln. Ser. No. **08/682,853, filed July 12, 1996**, now U.S. Patent No. 6,001,567, which is a Continuation-In-Part of U.S. Appln. Ser. No. **08/599,491, filed January 24, 1996**, now U.S. Patent No. 5,846,717.

15. Further Inventorship Statement Where Benefit Of Prior Application(s) Claimed

- a. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are
☒ the same.